REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

In response to the rejection of claim 21 under 35 U.S.C. §101, second para-
graph, the Examiner's suggestion has been adopted in the above amendment so as to
obviate this ground of rejection.

Accordingly, all outstanding formality-based issues are now believed to have
been resolved in the applicant's favor.

The Examiner's attention is drawn to the attached concurrently filed supple-
mental information disclosure statement and accompanying references.

The rejection of claims 1 and 3-10 under 35 U.S.C. §103 as allegedly being
made "obvious" based on Choquier '668 in view of Traversat '312 is respectfully
traversed.

As previously explained, the applicant's invention goes beyond merely managing
the membership of a group of computers. The applicant's invention also specifies, for
each computer in the group, which other members of the group are to be its immediate
neighbour. See, for example, the specification at Fig. 2 and page 9, line 12 to page 11,
line 12. In this way, the topology of the logical network of computers suited to carrying
out a given task is built and managed. By managing the topology of the logical network
of computers and distributing a task in accordance with that topology, better

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performance can be gained for performing a given computational task on the computer network. Other advantages are noted in the specification at, for example, page 22, lines 21-33.

The advantage of having distinctive immediate neighbour requirements data indicating desired immediate neighbour properties which differ from immediate neighbour properties for one or more other nodes is that this results in the outcome of a connection request from an applicant node depending on which member node the applicant node seeks to become an immediate neighbour of. In this way, the topology of the resultant logical network can be controlled – leading to the advantages set out at page 22, lines 21-33 of the specification.

None of the cited prior-art documents discloses this feature.

In relation to the argument on claim 1, the Examiner's assertion that paragraph [0074] teaches the calculation of a task-suited logical network topology is incorrect. Instead, it gives the impression that Traversat is considering networks whose physical topology is so dynamic (which is what 'nondeterministic' apparently means here) that any attempt to control the logical network topology would be doomed to failure. This general message of Traversat is seen also in paragraphs [0108] and [0401].

With regard to claim 8, the Examiner attempts to read a task-suited logical network task group topology into Choquier which is not there. Nowhere in Choquier can any of the words 'topology', 'graph', or 'neighbor' be found.

With regard to claim 10, the Examiner's cited passage from Choquier has nothing to do with immediate neighbour requirements data. It just deals with different ways (different Wide-Area Networks) for clients to access a Gateway in the Host Data Center. In relation to claim 1, the Examiner equates connections between the Gateway and the various application servers in the Host Data Center with the claimed network of nodes. It is inconsistent to now refer to arrangements for accessing the Host Data Center when referring to the same features in a dependent claim.

The Examiner's assertion that Traversat teaches node capability data is also incorrect. In relation to claim 1, the Examiner cites paragraph [0030], lines 1-4. However, that just refers to an application message and a response message – without giving any teaching of what data is in those messages. In relation to claim 5, the Examiner cites paragraph [0209]. But that just says an advertisement message is an XML message – again saying nothing about the content of that message.

The above discussion of distinctions is only exemplary as there are additional deficiencies in the Examiner's arguments and/or the cited references. However, it is not necessary at this time to discuss those additional deficiencies since, as a matter of law,

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it is impossible to support even a *prima facie* case of "obviousness" unless the cited prior art teaches or suggests each and every feature of each rejected claim.

The rejection of claims 11-21 and 23 under 35 U.S.C. §103 as allegedly being made "obvious" based on Traversat in view of Chao '485 is also respectfully traversed.

The above amendment to claim 11 causes it now to also require control over immediate neighbour requirements. That is, claim 11 requires more than merely controlling group membership. It also controls immediate neighbour relationships.

The Examiner relies upon paragraphs [0027] and [0028] of Traversat, but these paragraphs having nothing whatever to do with immediate neighbour properties or requirements.

The Examiner already recognizes many deficiencies in Traversat (e.g., see paragraph 18 on page 7 of the last office action) and asserts that Chao teaches these deficiencies.

However, the passage relied upon by the Examiner at 3:38-46 does not actually mention any graph data (one of the admitted deficiencies of Traversat). If the Examiner believes that there is here a teaching of "graph data", then it is respectfully requested that such be particularly identified.

Similarly, it is incorrect to assert that Chao teaches node profile data. That is, the Examiner's argument on claim 11 suggests that 4:8-12 of Chao teaches node profile data. However, those lines instead discuss keeping the configuration database consistent across the cluster.

The Examiner's reliance upon Chao at 4:6-7 is similarly incorrect as this passage also does not even mention "graph data" – let alone updating graph data.

Independent claim 18 also requires control of the immediate neighbour relationships between member nodes. The Examiner relies upon paragraphs [0026] and [0028] of Traversat. However, neither of these paragraphs even mentions immediate neighbour relationships – let alone any way for controlling them.

The Examiner's attempt to find anything regarding immediate neighbour relationships at 4:6-7 of Chao is similarly misplaced – as already discussed above.

Independent claim 23 also requires control of immediate neighbour relationships between member nodes. Once again, the Examiner cites paragraphs from Traversat and from Chao that do not even mention immediate neighbour relationship requirements or management of same, etc.

Given such fundamental deficiencies as already discussed with respect to independent claims 11, 18 and 23, it is not necessary at this time to detail additional deficiencies of these references with respect to other aspects of the rejected claims.

Suffice it to note that, as a matter of law, it is not possible to support even a *prima facie* case of "obviousness" unless the cited prior art teaches each and every aspect of each rejected claim.

The rejection of claim 22 under 35 U.S.C. §103 as allegedly being made "obvious" based on Traversat in view of Choquier '668 is also respectfully traversed.

Once again, independent claim 22 requires, *inter alia*, control of immediate neighbour requirements. The Examiner relies upon paragraphs [0028] and [0432] of Traversat – neither of which supplies such immediate neighbour requirements management.

The Examiner recognizes some deficiencies in Traversat and relies upon Choquier for those admitted deficiencies. However, Choquier is also deficient with respect to such immediate neighbour management (e.g., see the above discussion).
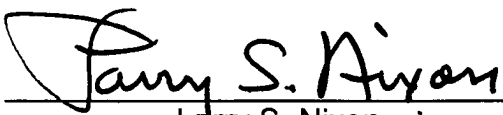
Accordingly, for reasons already noted above, it is not necessary at this time to explore further deficiencies of this allegedly "obvious" combination of references with respect to other aspects of claim 22.

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Serial No. 10/517,434
May 10, 2010

Accordingly, this entire application is now believed to be in allowable condition, and a formal notice to that effect is earnestly solicited.

Respectfully submitted,

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